

Message Text

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TAGS: PINT, GR

SUBJECT: GOG SPOKESMAN DISCUSSES PROVISIONS OF

AUGUST 1 CONSTITUENT ACT

REF ATHENS 5323

1. UNDER SECRETARY FOR PRESS AND INFORMATION P. LAMBRIAS READ PREPARED STATEMENT TO PRESS CORPS AT SAME TIME CONSTITUENT ACT OF AUGUST 1 WAS DISTRIBUTED. LAMBRIAS' STATEMENT NOTED THAT DURING TRANSITIONAL PERIOD GOVERNMENT WILL RULE BY ISSUING CONSTITUENT ACTS APPROVED BY CABINET AND HEAD OF STATE, THAT STATE OF SIEGE (MARTIAL LAW) HAS BEEN SUSPENDED AND GOVERNMENT HAS TAKEN STEPS TO RESTORE MORAL AND ADMINISTRATIVE RESPONSIBILITY OF MINISTERS.

2. TEXT:

QTE DURING THIS TRANSISTORY PERIOD, THE GOVERNMENT SHALL PROMULGATE CONSTITUENT ACTS IN ORDER TO FACE SPECIAL CIRCUMSTANCES AND IN ALL CASES WHERE THIS PROCEDURE PROVES LEGALLY NECESSARY.

THE NORMAL LEGISLATIVE POWER DURING THIS TRANSISTORY

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PERIOD SHALL BE EXERCISED BY THE CABINET, BY MEANS OF

LEGISLATIVE DECREES, WHICH SHALL BE RATIFIED AND PROMULGATED BY THE HEAD OF STATE.

THE CONSTITUENT ACT ALLOWS THE GOVERNMENT TO TAKE ALL THE MEASURES REQUIRED FOR THE UNOBSTRUCTED FUNCTIONING OF THE STATE.

THE CONSTITUENT ACT INCLUDES ALSO CERTAIN SPECIAL PROVISIONS WHICH WERE JUDGED ABSOLUTELY NECESSARY IN ORDER TO COMPLETE THE PROVISIONAL CONSTITUTION IN THE WAY REQUIRED BY THE CIRCUMSTANCES THAT EMERGED RECENTLY.

MORE PARTICULARLY, THE CONSTITUENT ACT EXPRESSLY STIPULATES AND CONSTITUTINALLY ESTABLISHED THAT THE NORMAL FRAMEWORK IN FORCE IN THE ARMED FORCES UNDER ORDINARY CIRCUMSTANCES IS RESTORED.

THE GOVERNMENT JUDGED IT NECESSARY TO RESTORE THE MORAL AND ADMINISTRATIVE PRINCIPLE OF THE RESPONSIBILITY OF MINISTERS. IT ABOLISHED THE PROVISIONS OF THE ABNORMAL PERIOD WHICH RENDERED THE MINISTERS IN SUBSTANCE BEYOND CONTROL. THE RETURN OF THE RESPONSIBILITY OF MINISTERS TO FULL FORCE, WHICH CERTAINLY INCLUDES ALSO THE MINISTERS OF THE PRESENT GOVERNMENT, DOES NOT REFER TO SPECIFIC INDIVIDUALS NOR TO A GIVEN PERIOD. IT IS RELATED TO THE EFFORT TO RESTORE THE RULE OF LAW.

THE GOVERNMENT, UNTIL THE CONVENING OF THE NATIONAL ASSEMBLY, DECLARES AND SUSPENDS A STATE OF SIEGE (MARTIAL LAW) ON ITS OWN RESPONSIBILITY.

THE REMAINING PROVISIONS OF THE CONSTITUENT ACT ARE OF JUDICIAL AND TECHNICAL CHARACTER; THAT IS, THEY COVER CERTAIN GAPS OR SETTLE CERTAIN ISSUES SO THAT THE ADMINISTRATION MAY CARRY OUT ITS WORK WITHOUT ANY LEGAL IMPEDIMENTS.

PARTICULAR IMPORTANCE SHOULD PERHAPS BE ATTRIBUTED TO THE PREAMBLE OF THE CONSTITUENT ACT. THE GOVERNMENT STRESSES IN THIS SECTION THAT, IT DERIVES THE POWER FOR THE PROMULGATION OF THE FUNDAMENTAL LAW OF REINFORCED FORMAL POWER "FROM THE CHANGE THAT OCCURRED ON JULY 23, 1974, AND THE RESULTING

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APPOINTMENT OF MR. C. KARAMANLIS AS PRIME MINISTER AND THE UNIVERSAL AND UNANIMOUS SUPPORT OF THE GREEK NATION AND THE ARMED FORCES OF THE COUNTRY."

IN THE PREAMBLE, IT IS ALSO DECLARED THAT THE POWER WHICH IS ENTRUSTED TO THE GOVERNMENT SHALL BE EXERCISED WITH THE SOLE CRITERION BEING THE ACCOMPLISHMENT OF THE OBJECTIVES SET FORTH IN SUCH A MANNER THAT THE GREEK PEOPLE MAY ASSUME THE

RESPONSIBILITY OF THEIR DESTINY AFTER THE CREATION OF THE
NECESSARY PREREQUISITES. END QTE.
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